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Dated: August 26, 2004

Signature: 

(Thomas A. Miller)

Docket No.: 29968/38059A
(PATENT)

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ken Shaw et al.

Application No.: 10/624,113

Filed: July 21, 2003

For: Selectable Width Track Apparatus and Method
for a Gravity Fed Shelving System

Art Unit: 3651

Examiner: Richard Ridley

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

A restriction requirement was issued by the Patent Office on June 30, 2004. In the requirement, the Examiner required an election of either Group I, directed to claims 1-18 and 28-43, or claims 19-20 identified as Group II. However, the Examiner seems to have overlooked a Preliminary Amendment which was filed concurrently with the application wherein all claims 1-43 were canceled and new claims 44-52 were added. As the Examiner will note, each of currently pending claims 44-52 is directed to a clip. Accordingly, a restriction requirement is not necessary and claims 44-52 should proceed to substantive examination. Applicants respectfully submit that each of such claims is in condition for allowance and respectfully solicits same. Should the Examiner have any questions, he is respectfully invited to telephone the undersigned.

Dated: August 26, 2004

Respectfully submitted,

By 

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